

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

MINUTES

November 29, 2007

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Jefferson Conference Room, 22nd Floor, Richmond, with the following members present:

Dr. Mark E. Emblidge, President
Dr. Ella P. Ward, Vice President
Dr. Thomas M. Brewster
Mrs. Isis M. Castro
Mr. David L. Johnson

Dr. Gary L. Jones
Mr. Kelvin L. Moore
Mr. Andrew J. Rotherham
Mrs. Eleanor B. Saslaw

Dr. Billy K. Cannaday, Jr.
Superintendent of Public Instruction

Dr. Emblidge, president, presided and called the meeting to order at 9 a.m.

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

Dr. Emblidge asked Dr. Ward to lead in a moment of silence and Pledge of Allegiance.

APPROVAL OF MINUTES

Dr. Ward made a motion to approve the minutes of the October 18, 2007, meeting of the Board. The motion was seconded by Mr. Moore and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

PRESENTATION ON THE CAREER COACHES PROGRAM

Dr. Glenn DuBois, chancellor of the Virginia Community College System, made a special presentation on the career coaches program. Dr. DuBois said that during the fall of 2004 the first career coach pilot program was put into place. Currently, there are forty career coaches located in high schools around the state working directly with students planning for postsecondary education. Dr. DuBois said the career coaches contacted 28,000 high school students, provided one-on-one career planning services to 18,000 students, and enrolled or referred 10,000 students to post-secondary programs.

PUBLIC COMMENT

The following persons spoke during public comment:

Wayne Frith
Stella Edwards
Angela Ciolfi
Dr. Don Ford

CONSENT AGENDA

Mrs. Castro made a motion to approve the consent agenda. Mr. Rotherham seconded the motion and carried with unanimous vote.

- First Review of the Board of Education's 2007 Annual Report on Electronic Meetings

First Review of the Board of Education's 2007 Annual Report on Electronic Meetings

The Department of Education's recommendation to waive first review and adopt the 2007 Annual Report on Electronic Meetings was approved with the Board's vote on the consent agenda.

ACTION/DISCUSSION ITEMS

First Review of Proposed Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs (8 VAC 20-280-10)

Mrs. Michelle Vucci, director of policy, presented this item. Mrs. Vucci said that joint schools include academic-year Governor's schools, alternative education centers, career and technical centers, and special education centers. The 2007-2008 *Local and Regional Schools and Centers Report* indicates that there are 100 such programs in Virginia.

The current *Regulations Governing Jointly Owned and Operated Schools and Jointly Operated Programs*, 8 VAC 20-280-10 et seq., were adopted on or before September 1, 1980. These regulations have not been amended since that time and do not address changes that have been made in the operation of joint schools and joint programs since the regulations were written.

Mrs. Vucci said that the proposed regulations address the following major elements:

- Addition of a definitions section for clarity.
- Revision of the second section of the regulations which includes all of the organizing and operating procedures, including membership, organization, authority, authority of the division superintendent, annual budget and financing plan, and expenditures. Most of these headings/catchlines from

the current regulations remain, but the language has been streamlined and is more user-friendly.

- Addition of the new language passed by the 2007 General Assembly (HB 2371) regarding the appointment of a fiscal agent and the holding of title to property.

Dr. Ward made a motion to waive first review and authorize Department staff to submit the proposed regulations to the Virginia Regulatory Town Hall where, upon approval by the Department of Planning and Budget, the Secretary of Education, and the Governor, the proposed regulations will be published in the Virginia Register for a 60-day public comment period. Following the public comment period, the Board will consider the proposed regulations, along with amendments based on public comment, for final review and adoption. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of Proposed Amendments to the Regulations Governing the Virginia Teaching Scholarship Loan Program Requirements and Selection Procedures (8 VAC 20-650-30)

Mrs. Patty Pitts, assistant superintendent, teacher education and licensure, presented this item. Mrs. Pitts said that Section 22.1-290.01 of the *Code of Virginia* establishes the Virginia Teaching Scholarship Loan Program. The Board of Education administers the Virginia Teaching Scholarship Loan Program (VTSLP) to support teacher candidates in the critical teaching shortage areas.

The Virginia Department of Education disseminates Virginia Teaching Scholarship Loan nomination packages to the colleges and universities with approved teacher preparation programs. The colleges and universities identify teacher candidates who meet the established criteria. Candidates return completed applications to the institution's Office of Teacher Education, and the dean or director of teacher education submits nominations to the Department of Education.

To be eligible, students must be enrolled on a full- or part-time basis in one of the critical shortage teaching areas, be at or beyond the sophomore year (including graduate years), possess a grade point average of at least 2.7, and be identified as a domiciliary resident of Virginia.

The proposed amendments to the existing *Regulations Governing the Virginia Teaching Scholarship Loan Program Requirements and Selection Procedures* (8 VAC 20-650-30) include (1) deletion of the requirement to include one Commonwealth Scholarship from each college or university, (2) alignment of revised parameters for eligibility, and (3) procedures for a selection panel when the teacher education program recommendations for scholarships exceed the appropriation.

Dr. Ward made a motion to approve the proposed revisions of the *Regulations Governing the Virginia Teaching Scholarship Loan Program Requirements and Selection Procedures* and authorize staff to proceed with the next steps of the Administrative

Process Act and Executive Order provisions governing the Fast-Track procedures. Following the required review by the executive and legislative branches, the proposed regulation will be published in the *Virginia Register* for a 60-day public comment period. If there are no objections from the public, the regulation will become final after the 60-day comment period. The motion was seconded by Mrs. Saslaw and carried unanimously.

Final Review of a Request for an Alternative Accreditation Plan from Danville Public Schools for J. M. Langston Focus School

Mrs. Kathleen Smith, director, office of school improvement, division of student assessment and school improvement, presented this item. Mrs. Smith introduced Dr. Sue B. Davis, superintendent, Danville City Public Schools, and Mr. Andrew Tyrrell, assistant superintendent for instruction, Danville City Public Schools.

Mrs. Smith said that J. M. Langston Focus School is a newly created alternative school in the Danville Public School System designed to foster a learning environment for middle school and secondary students who have experienced academic and behavior difficulties in a traditional education environment. This school will prepare students in grades 6, 7, and 8 who are experiencing significant academic and behavior difficulties in a traditional education setting to successfully complete middle grade content with the goal of promotion to high school. In addition, this school will prepare students in grades 9, 10, 11, and 12 who are experiencing significant academic and behavior difficulties in a traditional education setting to successfully complete secondary grade content and earn a standard diploma.

Dr. Jones made a motion to approve the alternative accreditation plan from Danville City Schools for J. M. Langston Focus School. The motion was seconded by Dr. Ward and carried unanimously.

Final Review of Proposed Process for Initiating a Governor's Career and Technical Academy

Mr. Jim Firebaugh, director, office of middle and high school instruction, presented this item. Mr. Firebaugh said that Virginia received a \$500,000 grant from the National Governors Association Center for Best Practices to improve science, technology, engineering, and mathematics (STEM) education. It provides the opportunity to develop STEM-focused Governor's Career and Technical Academies that are partnerships of business and industry, public school divisions, and higher education institutions; and may also include local government, including workforce and economic development entities. These academies will have the primary focus of increasing the readiness of high school graduates for college-level work and other postsecondary pathways in STEM areas.

The *Process for Initiating a Governor's Career and Technical Academy*, describes the proposed process and administrative guidelines for initiating a Governor's

Career and Technical Academy. Several changes have been proposed since the Board accepted the criteria for first review on October 18, 2007. These changes include:

- Removal of further descriptors defining a higher education institution as a member of a partnership approved to establish a Governor's Career and Technical Academy;
- Clarification that the fiscal agent for the Governor's Career and Technical Academy must be a public entity; and
- Clarification of the role SCHEV (State Council of Higher Education for Virginia) will have in the review process for a Governor's Career and Technical Academy.

Mrs. Saslaw made a motion to approve the proposed *Process for Initiating a Governor's Career and Technical Academy*. The motion was seconded by Dr. Brewster and carried unanimously.

Following the vote, Dr. Emblidge recognized Mr. Firebaugh for his many years of outstanding service to the Board and the Department of Education. Dr. Emblidge noted that Mr. Firebaugh was retiring and that the Board wished to publicly thank Mr. Firebaugh for his excellent and sound advice through the years.

Final Review of the Board of Education's 2007 Annual Report on the Condition and Needs of Public Schools in Virginia

Dr. Margaret Roberts, executive assistant, board relations, presented this item. Dr. Roberts said that Section 22.1-18 of the *Code of Virginia* sets forth the requirement that the Board of Education shall submit an annual report on the condition and needs of the public schools in Virginia. The Board of Education has submitted an annual report each year since 1971, when the requirement was initially adopted by the General Assembly.

The *Code* requires that the annual report contain the following information: a report on the condition and needs of the public schools as determined by the Board of Education; a listing of the school divisions and the specific schools that report noncompliance with any part of the Standards of Quality (SOQ); the full text of the current SOQ; a justification for amendments; the effective date of the current SOQ; and a listing of any amendments, if any, to the SOQ being prescribed by the Board of Education.

Dr. Ward made a motion to adopt the *2007 Annual Report on the Condition and Needs of Public Schools in Virginia* and authorize staff to make any additional technical or editorial changes to the text as may be necessary prior to its distribution and distribute the report to the Governor and the members of the General Assembly as required by the *Code of Virginia*. The motion was seconded by Mrs. Castro and carried unanimously.

First Review of the Resolution to Reaffirm the Board of Education's Prescribed Revisions to the Standards of Quality

Mrs. Anne Wescott, assistant superintendent, policy and communications, presented this item. Mrs. Wescott said that Article VIII, § 2 of the Constitution of Virginia requires the Board of Education to determine and prescribe Standards of Quality for the public schools in Virginia. The *Code of Virginia* requires the Board of Education to review the Standards of Quality every two years. The *Code* also requires that the Board's annual report to the Governor and General Assembly include any recommendations for revisions to the Standards of Quality.

The Board made a motion to waive first review and adopt the resolution to reaffirm the Board of Education's prescribed revisions to the Standards of Quality. The motion was seconded and carried unanimously.

The resolution reads as follows:

**EXPRESSING THE SENSE OF THE BOARD OF EDUCATION
ON FUNDING THE STANDARDS OF QUALITY: FOR CONSIDERATION BY THE
GOVERNOR AND THE 2008 SESSION OF THE GENERAL ASSEMBLY**

WHEREAS, as it routinely does every year in the fall, the Virginia Board of Education wishes to communicate its spending priorities to the Governor and the General Assembly for their consideration as they make budget decisions; and

WHEREAS, the Board acknowledges the serious revenue shortfall facing state government at this time, and also acknowledges that Virginia's budget must be balanced and that the current revenue shortfall means that cuts in previously appropriated funds must be made by the Governor and the General Assembly in order to balance the budget; and

WHEREAS, the Board does not minimize the difficulty of the challenge facing the Governor and the General Assembly in balancing the state's budget; and

WHEREAS, the Board believes nonetheless that public education is of the highest priority in the state budget, and that there are certain core educational programs in the K-12 public education budget that should be of the highest priority for maintaining spending and, to the maximum extent possible, should not be the programs in the state budget chosen for reducing already appropriated amounts; and

WHEREAS, as in previous years, the Board urges the Governor and the General Assembly to consider the following K-12 educational programs to be of the highest priority and urges that everything possible be done to avoid reductions in already appropriated funds in these core programs:

- a. Standards of Quality (SOQ) basic aid accounts, including funding for teacher and principal positions and salaries;
- b. Non-SOQ programs directly related to meeting the student achievement goals of the Standards of Learning and the federal No Child Left Behind legislation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education urges the Governor and the 2008 General Assembly to renew their consideration of certain provisions that have been recommended by the board in recent years and that are yet to be funded. Such provisions have a total estimated state cost of \$184.4 million for FY 2009 and \$186.3 million in FY 2010. Such important policy changes, with the estimated state cost for each, are as follows:

- Requiring one full-time position per 1,000 students licensed by the Board of Education to serve as the data manager/test coordinator
FY 2009: \$42.1 million
FY 2010: \$42.4 million
- Providing for one full-time principal in every elementary school
FY 2009: \$7.2 million
FY 2010: \$7.3 million
- Providing for one full-time assistant principal per 400 students in all schools (K-12)
FY 2009: \$57.8 million
FY 2010: \$58.3 million
- Reducing the caseload for speech-language
FY 2009: \$3.7 million
FY 2010: \$3.9 million
- Providing for one reading specialist per 1,000 students (K-12)
FY 2009: \$42.1 million
FY 2010: \$42.4 million
- Requiring one full-time instructional position for each 1,000 students in grades kindergarten through eight to serve as the mathematics teacher specialist;
FY 2009: \$28.3 million
FY 2010: \$28.7 million
- Requiring local school boards to maintain pupil-teacher ratios for students who are blind or vision-impaired at not less than the following levels: Level I, resource teacher, 24 to one; Level II, self-contained with an aide, 10 to one; self-contained without an aide, eight to one, or Level II, self-contained student weight of 2.5
FY 2009: \$3.2 million
FY 2010: \$3.3 million

BE IT FURTHER RESOLVED that the Board's position contained herein shall be communicated to the Governor and the 2008 General Assembly for their consideration.

First Review of the Resource Guide for Crisis Management and Emergency Response in Virginia Schools

Dr. Cynthia Cave, director, office of student services, presented this item. Dr. Cave said that in 1996, the Virginia Department of Education developed and produced the first publication of its kind in the country – the *Resource Guide for Crisis Management in Schools*. This publication had its roots in the manual, “Crisis Affecting Youth” that was originally developed as a part of the Department of Education’s Youth Risk Prevention Project in the early 1990s.

The new publication, *Resource Guide for Crisis Management and Emergency Response in Virginia Schools*, represents both best practice and the most recent information available. It was developed with the assistance of a representative advisory group from school divisions and state agencies. While the material in the new publication has been completely revised and updated, the most significant changes are centered around “Chapter IV: Medical Emergencies” and include:

- School Medical Emergency Response Planning
- Steps in Planning for Medical Emergencies
- Protocols
- Cardiopulmonary Resuscitation and Automatic Electronic Defibrillator Programs

Dr. Brewster made a motion to waive first review and approve the *Resource Guide for Crisis Management and Emergency Response in Virginia Schools* and permit the Department to make final technical edits as necessary. The motion was seconded by Mr. Rotherham and carried unanimously.

First Review of Criteria for Making Distributions from the Public Charter School Fund (HB 2311)

Mrs. Diane Jay, associate director, office of program administration and accountability, presented this item. Mrs. Jay said that §22.1-212.5:1 of the *Code of Virginia*, amended on July 1, 2007, created in the treasury a special nonreverting public charter school fund. The purpose of the Fund is to establish a mechanism whereby any gifts, grants, bequests, or donations from public or private sources can be paid into the state treasury and credited to the Fund. Moneys in the Fund are to be used solely for the purposes of establishing or supporting public charter schools in the Commonwealth that stimulate the development of alternative public education programs.

The *Code* requires the Board to establish criteria for making distributions from the Fund. The criteria include provisions for receiving moneys from the Fund and provisions for oversight of the Fund by the Department. Two priorities are recommended in awarding funds: (1) Applications establishing new public charter schools will be given first priority; and (2) Applications supporting public charter schools that have been in operation for more than one year, and are fully accredited as required under 8 VAC 20-131-300 in the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, September 7, 2006, will be given second priority.

Moneys from the Fund shall be limited to \$10,000, or less, depending on the amount available. The minimum award amount would be \$5,000. To date, no gifts, grants, bequests, or donations have been received, and no funds will be disbursed until such time as funds are received.

Dr. Brewster made a motion to accept for first review the Criteria for Making Distributions from the Public Charter School Fund pursuant to 22.1-212.5:1, *Code of Virginia*. The motion was seconded by Mrs. Saslaw and carried unanimously.

First Review of Proposed Schedule for the Adoption of Mathematics, English, Science, and Foreign Language Textbooks and Instructional Materials

Dr. Beverly Thurston, history, social science, and international education coordinator, presented this item. Dr. Thurston said that the Board's authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*. The Board of Education's *Regulations Governing Textbook Adoption* specifies the types of materials that may be adopted.

During each recent textbook and instructional materials adoption, the Department of Education worked with a state committee to review and evaluate publishers' submissions with respect to correlation to the content of the *Standards of Learning* (SOL)

and certain quality- and curriculum-related factors. Following each review, the Department of Education provided school divisions with a list of the adopted materials, which included detailed profiles of each adopted submission.

The importance of teachers using curricula and materials that are aligned to the *Standards of Learning* is a major factor contributing to student achievement of the standards. To ensure school divisions have access to textbooks and instructional materials that support the state standards, state textbook adoption in a SOL subject area should be conducted shortly after the standards are revised if current materials have been on the state contract for at least six years.

Dr. Ward made a motion to accept for first review the proposed mathematics, English, science, and foreign language textbook and instructional materials review schedule. The motion was seconded by Dr. Brewster and carried unanimously.

First Review of Report on the Virginia General Assembly on the Commonwealth Education Roundtable

Mrs. Patty Pitts presented this item. Mrs. Pitts said that the 2007 General Assembly passed House Joint Resolution 622 requesting the Board of Education to establish and regularly convene a *Commonwealth Educational Roundtable* to facilitate the implementation and continuation of efforts to improve and sustain quality educational leadership in the Commonwealth's public schools.

On behalf of the Board of Education, the president of the Board appointed the *Commonwealth Educational Roundtable* members. Dr. William C. Boshier, Jr., executive director and distinguished professor of education and public policy at Virginia Commonwealth University's Education and Policy Institute, will serve as chair of the *Roundtable*.

The membership of the *Roundtable* includes deans of colleges and universities, principals, a school division central office director, representatives from professional organizations, members of the Virginia General Assembly, a member of the Board of Education, the executive director of the State Council of Higher Education for Virginia, and the Superintendent of Public Instruction. The first meeting of the *Roundtable* was held October 30, 2007, in Richmond, Virginia.

Mrs. Castro made a motion to waive first review and approve the report on the *Commonwealth Educational Roundtable* to be submitted to the 2008 Virginia General Assembly. The motion was seconded by Dr. Jones and carried unanimously.

Report on Programming and Services Provided through the Instructional Telecommunications Services Contract

Mr. Lan Neugent, assistant superintendent for technology and career and technical education, presented this item. Mr. Neugent introduced Ms. Linda Holt, education specialist. Ms. Holt said that funding is appropriated by the General Assembly to the public

television stations to provide programming and services that support teaching and learning in Virginia's public schools. The Instructional Telecommunications Services Contract outlines procedures for distributing these funds to the public television stations and specifies the categories of services and their related allocations. The programming and services are determined by the public television stations in collaboration with the Regional Services Contracting and Planning Committees.

Ms. Holt said that *An Overview of the Instructional Telecommunications Services Contract* provides information on the components of the Instructional Telecommunications Services Contract and describes the roles and responsibilities of the Regional Services Contracting and Planning Committee. The directors of education services from public television stations provided a brief summary of the unique services provided to school divisions they serve. They are as follows:

- Linda Pharis, WBRA, Blue Ridge PBS, 1215 McNeil Drive, Roanoke, VA 24015
- Iris Scott, WCVE, Community Idea Stations, 23 Sesame Street, Richmond, VA 23235
- Angie Callahan, WHRO Instructional Telecommunications Services
- Elizabeth Pringle, MHZ Networks, 8101A Lee Highway, Falls Church, VA 22042
- Charlotte Sappington, WVPT, 298 Port Republic Road, Harrisonburg, VA 22801

After the presentations were made, the Board received the report.

DISCUSSION OF CURRENT ISSUES

Dinner Session

The Board met for dinner at the Crowne Plaza Hotel with the following members present: Dr. Emblidge, Dr. Brewster, Mrs. Castro, Mr. Johnson, Dr. Jones, Mr. Rotherham, Mrs. Saslaw and Dr. Ward. A brief discussion took place about general Board business. No votes were taken, and the dinner meeting ended at 8:30 p.m.

PUBLIC HEARING

There were no speakers signed up to speak at the Proposed *Curriculum Framework for Algebra, Functions, and Data Analysis Standards of Learning* Public Hearing. Dr. Emblidge adjourned the public hearing session at 11:38 a.m.

EXECUTIVE SESSION

Dr. Ward made a motion to go into executive session under *Virginia Code 2.2-3711.A*, specifically to discuss personnel matters related to licensure. Dr. Jones seconded the motion and it carried unanimously. The Board adjourned for the Executive Session at 11:39 a.m.

Dr. Ward made a motion that the Board reconvene in open session. The motion was seconded by Dr. Brewster and carried unanimously. The Board reconvened at 12:49 p.m.

Dr. Ward made a motion that the Board certify by roll-call vote that to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification motion applies, and (2) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Board. The motion was seconded by Mr. Moore and carried unanimously.

Board Roll call:

Andrew Rotherham – Yes
Ella Ward – Yes
Gary Jones – Yes
Isis Castro – Yes

Eleanor Saslaw – Yes
David Johnson – Yes
Kelvin Moore – Yes
Mark Emblidge – Yes

The following motion was made:

Dr. Ward made a motion to provide a provisional license for Mr. Dixon. The motion was seconded by Mr. Johnson and carried unanimously.

ADJOURNMENT

There being no further business of the Board of Education and Board of Career and Technical Education, Dr. Emblidge adjourned the meeting at 1 p.m.

President